

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

MADISON MCDEARIS, <i>et al.</i> ,	*	
Plaintiffs,	*	
vs.	*	
LAST RESORT GRILL, INC., <i>et</i>	*	CASE NO. 3:20-CV-93 (CDL)
<i>al.</i> ,	*	
Defendants.	*	
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ALMA KAEMPF, <i>et al.</i> ,	*	
Plaintiffs,	*	
vs.	*	
LAST RESORT GRILL, INC., <i>et</i>	*	CASE NO. 3:20-CV-139 (CDL)
<i>al.</i> ,	*	
Defendants.	*	
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RACHEL MILLS, <i>et al.</i> ,	*	
Plaintiffs,	*	
vs.	*	
LAST RESORT GRILL, INC., <i>et</i>	*	CASE NO. 3:20-CV-115 (CDL)
<i>al.</i> ,	*	
Defendants.	*	
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O R D E R

In a thorough and well-reasoned Report and Recommendation issued by the Magistrate Judge on February 10, 2022, the Magistrate

Judge recommended that the Court grant the Defendants' motion to enforce the parties' settlement agreement and award litigation expenses, including attorneys' fees, incurred by Defendants in having to pursue the motion to enforce the settlement agreement. Plaintiffs objected to the majority of the Magistrate's Report and Recommendation, and Defendants objected to the Magistrate Recommendation that limited their recovery of litigation expenses to those incurred in their enforcement of the settlement. After a de novo review of the record in this case, the Report and Recommendation filed by the United States Magistrate Judge on February 10, 2022 is hereby approved and adopted in its entirety, and it is made the Order of the Court. The Court considered the parties' objections to the Report and Recommendation and finds that they lack merit.

As recommended by the Magistrate Judge, the Court orders the following: (1) the parties shall prepare and execute the FLSA Settlement Agreement and General Settlement Agreement within 14 days of today's order; (2) within 7 days of executing the settlement agreements, the parties shall file a joint motion for court approval of the FLSA portion of the settlement pursuant to *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350 (11th Cir. 1982), which motion shall be referred to the Magistrate Judge for a recommendation; and (3) Defendants shall submit to the Magistrate Judge within 7 days of the parties submission of the joint motion

for court approval of the FLSA portion of the settlement a statement itemizing the amounts they seek for reasonable expenses, costs and attorneys fees for having to pursue and litigate the motion to enforce settlement, and Plaintiffs shall submit a response to the statement within seven days of service of the statement. The Magistrate Judge shall submit a recommendation to the District Judge as to the amount of fees, expenses and costs that should be awarded to Defendants for having to pursue the motion to enforce settlement.

IT IS SO ORDERED, this 22nd day of March, 2022.

S/Clay D. Land

CLAY D. LAND

U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA